



COMMONS REGISTRATION ACT 1965

Reference No. 239/U/72

In the Matter of land in Main Street and Crockle Street and The Hollows, Long Compton, Warwickshire

DECISION

This reference relates to the question of the ownership of land in Main Street and Crockle Street and land known as The Hollows, Long Compton, being the land comprised in the Land Section of Register Unit No. VG 86 in the Register of Town or Village Greens maintained by the Warwickshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr and Mrs D E Fawcett, the Long Compton Parish Council and Mrs E M Fiddian claimed to be the freehold owners of parts of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Stratford on Avon on 20 May 1982.

At the hearing Mr Fawcett and Mrs Fiddian appeared in person. Although it is too small to be identifiable on the copy of the Register Map accompanying the reference, it appears from a certificate of official search issued by the Warwickshire County Council on 19 March 1982 that a small triangle of the garden of the house known as Kingstone Cottage is included in the Register Unit.

Mr and Mrs Fawcett acquired Kingstone Cottage by a conveyance made 6 October 1978 between (1) Alexander Gillies Macgill and Annie Brenan Macgill (2) Donald Edward Fawcett and Bernice Georgina Fawcett. The boundaries shown on the plans attached to the title deeds now held by Mr and Mrs Fawcett are by no means as clear as could be desired, they are supported by a statutory declaration made by Mr Howell Smith, who owned the property between 1959 and 1972, that during all his time he was in undisturbed possession of the garden of Kingstone Cottage, including the small triangle now included in the Register Unit.

Included in the land the subject of the reference is a small area known as The Pound in Crockle Street, Long Compton. This was conveyed to Mrs Fiddian by a conveyance made 11 January 1974 between (1) The Parish Council of Long Compton (2) Elizabeth Mary Fiddian.

On this evidence I am satisfied that Mr and Mrs Fawcett and Mrs Fiddian are the owners of small parts of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority to register them as the owners of their respective parts of the land under section 8(2) of the Act of 1965

In the absence of any evidence I am not satisfied that any person is the owner



of the major part of the land the subject of the reference, and I shall accordingly direct the County Council to register the Long Compton Parish Council as the owner of that part under section 8(3) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this

27th

day of

May

1982

Chief Commons Commissioner